

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2000 - 074

APPROVAL OF A STATE REVOLVING FUND (SRF) LOAN FOR THE
CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS (CITY) FOR THE
CONSTRUCTION OF THE NORTH OUTFALL SEWER (NOS) EAST CENTRAL INTERCEPTOR
SEWER PROJECT, SRF LOAN PROJECT NO. C-06-4493-110

WHEREAS:

1. The State Water Resources Control Board (SWRCB), on February 16, 1995, adopted the “*Policy for Implementing the State Revolving Fund for Construction of Wastewater Treatment Facilities*,” and revised it on June 18, 1998;
2. The Division of Clean Water Programs (Division) has approved the facilities plan;
3. The performance standards for the project will be based on the Los Angeles Regional Water Quality Control Board’s Waste Discharge Requirements and NPDES Permit;
4. The City’s loan disbursements from the SWRCB will be limited by the \$25 million funding cap per agency per year;
5. The City is signatory to the “Memorandum of Understanding Regarding Urban Water Conservation in California”; and
6. The City of Los Angeles certified an Environmental Impact Report (EIR) (State Clearinghouse No. 1997021018) which has been reviewed and considered, and it has been determined that:
 - a. Even with implementation of mitigation measures, construction of the proposed project will result in unavoidable significant short-term air quality impacts and has the potential to result in unavoidable significant impacts to paleontological and archaeological resources, vibration impacts, and residential and business access related impacts.

The SWRCB hereby adopts the following statement of overriding considerations to address the unmitigable significant impacts that may potentially occur from approval of the project:

Implementation of the project will result in the following benefits: (1) it will enable the City to divert flow from the NOS to a new sewer in an expedited manner in order to rehabilitate the middle portion of the NOS before it becomes a public health hazard resulting from sewage overflow; (2) it will provide hydraulic relief to the middle portion of the NOS; and (3) it will provide capacity for projected growth in the area tributary to the middle portion of the NOS.

Potential adverse effects to cultural resources have been identified. The SWRCB has entered into a Memorandum of Agreement (MOA) with the State Historic Preservation Officer. This MOA outlines mitigation procedures that the Division and the City will take should such impacts occur.

In balancing the project benefits against the significant impacts regarding short-term air quality and potential adverse impacts to paleontological and historical resources during tunneling, the SWRCB finds that the public benefits of the project outweigh the unavoidable impacts and, therefore, determines that the impacts are acceptable.

- b. Changes or alterations have been required in or incorporated into the proposed project which avoid or reduce to less than significant levels potentially significant impacts identified in the EIR with respect to water quality, which will be mitigated by implementing the following: temporarily lowering the groundwater level; treating contaminated groundwater; removing contaminated materials; utilizing proper grading techniques, including sloping, shoring and bracing excavation sites; covering or stabilizing stockpiled materials; scheduling activities to avoid the wet season; implementing a Storm Water Pollution Prevention Plan; and coordinating with the U.S. Army Corp of Engineers for any river crossings.
- c. With respect to other potentially significant environmental impacts identified in the EIR, appropriate changes and alterations are not within the responsibility and jurisdiction of the SWRCB. Such other changes or alterations have been adopted or should be adopted by other agencies.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Approves a SRF loan of \$290 million to the City for the construction of the North Outfall Sewer-East Central Interceptor Project. The repayment period shall be 20 years, and the first repayment due one year after completion of construction.
2. Will withdraw this preliminary SRF loan commitment if biddable plans and specifications are not submitted by November 17, 2000. The Division may approve up to a 90-day time extension for good cause.
3. Directs the performance standards for this project to be consistent with the City's Waste Discharge Requirements and NPDES Permit No. CA0109991 for the Hyperion Treatment Plant.
4. Directs that the loan disbursements to the City are limited by the SWRCB's \$25 million annual fiscal year funding cap.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 21, 2000.

/s/

Maureen Marché

Administrative Assistant to the Board